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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 14-0196 CRB
)	
)	UNITED STATES' <i>EX PARTE</i> MOTION FOR
)	TEMPORARY SEALING ORDER AND
v.)	[PROPOSED] ORDER
)	
KWOK CHEUNG CHOW, et. al.)	
Defendants.)	SAN FRANCISCO VENUE
)	

On August 4, 2015, defendant Chow filed a Motion to Dismiss for Selective Prosecution and for Information on Charging Decision (Doc. 883). Defendant Chow also filed certain Exhibits in support of his motion (Docs. 884-886). Although the government has not had sufficient time to review the entirety of the filings, initial review reveals that defendant Chow includes in his motion and exhibits (1) information disclosed by the government in discovery that is subject to the Court's protective order (Doc. 302), and (2) passages from documents that are filed under seal with this Court. Such items include excerpts from wiretap affidavits that disclose wiretap intercepts, FBI reports of interviews, and

1 information about individuals who have not been charged with a crime.

2 To the government's knowledge, Chow did not receive leave from the Court to disclose matters
3 under seal or subject to the Court's protective order. In fact, in the case of the wiretap excerpts -- all of
4 which are presently under seal -- this Court is currently engaged in the process of soliciting input from
5 interested parties about redactions and determining which, if any, materials should be unsealed. A
6 considerable amount of the discussion by the parties in that regard has related to preserving the privacy
7 of third parties and the integrity of ongoing government investigations.

8 Along similar lines, it appears that Chow has attached to his motion numerous investigative
9 reports that have been specifically stamped by the government as "Protected Material"; Chow has
10 simply redacted -- or partially redacted -- that stamp.

11 The government moves this Court to enter an order requiring the Clerk of the Court to place
12 Documents 883 through 886 under seal until the filings can be examined and a determination can be
13 made by the Court about whether the filings should or should not remain under seal.

14 Dated: August 4, 2015

MELINDA HAAG
United States Attorney

16 By: /s/
17 WILLIAM FRENTZEN
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[PROPOSED] ORDER

Upon consideration of the United States' *Ex Parte* Motion for Temporary Sealing Order and for good cause appearing, IT IS HEREBY ORDERED that the Clerk of the Court shall place Defendant Chow's Motion to Dismiss for Selective Prosecution and for Information on Charging Decision (Doc. 883) and Defendant Chow's Exhibits in support of his motion (Docs. 884-886) under seal and maintain the documents under seal until further Order of this Court.

Dated: August ____, 2015

HON. CHARLES R. BREYER
SENIOR UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA